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COMMISSION ON HUMAN RIGHTS

Fifty-seventh session

SUMMARY RECORD OF THE 50th MEETING

Held at the Palais des Nations, Geneva,
on 11 April 2001, at 10 a.m.

Chairperson: Mr. DESPOUY (Argentina)

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ENG

The meeting was called to order at 10.25 a.m.

STATEMENT BY MR. PETER PIOT, EXECUTIVE DIRECTOR OF THE JOINT UNITED NATIONS PROGRAMME ON HIV/AIDS (UNAIDS)

1. The CHAIRPERSON, before giving the floor to the Executive Director of UNAIDS, said that the General Assembly would be holding a special session on HIV/AIDS from 25 to 27 June which, as the Secretary-General of the United Nations had pointed out, would present an exceptional opportunity as never before to take decisive action to turn back the progress of that terrible disease.

2. Mr. PIOT (Executive Director of UNAIDS) said that the understanding of AIDS had undergone a profound change. It was seen now as an issue that crossed the whole of society and had an impact in every sector. It would also be a priority concern in future for the international community, as could be seen by the numerous declarations and meetings that had been devoted to it, culminating in the special session of the General Assembly to be held in June. Human rights would be a focal point of the discussion on that occasion since failure to respect them worsened the effects of AIDS, while their promotion was essential for effective social mobilization. The epidemic continued to grow: it was a global crisis that required a global response matching the scale of the epidemic itself. The progress in human rights and AIDS achieved over the past 20 years had been disappointing, with more than 60 countries restricting the freedom of movement of persons affected and requiring that visitors be screened. Some criminal laws were not consistent with international norms and targeted vulnerable groups such as homosexuals. Intolerance, stigmatization and discrimination had not disappeared, even in health-care institutions.

3. In the past year, however, some progress had been made in key areas. UNAIDS had published a guidance document on confidentiality, for example, that had resulted in some countries adopting more balanced policies. South Africa had dropped plans to make AIDS a notifiable disease, preferring to rely on improved surveillance. Respect for the human rights of the persons concerned at the national level had also shown progress. The role of national human rights institutions was essential in that respect. The Lomé Declaration adopted in March 2001 at the Third Conference of the African National Human Rights Institutions had emphasized the need to prevent discrimination relating to HIV/AIDS and to ensure respect for the rights of all.

4. But that was not enough. Major non-governmental organizations (NGOs) concerned with human rights should accord greater importance to AIDS. National institutions responsible for ensuring due respect for human rights needed to strengthen their capacity to communicate, develop technical expertise, build awareness and be able to investigate complaints of violations and offer redress. The High Commissioner for Human Rights should also continue to champion the human rights of HIV/AIDS victims, as she had done so remarkably in the past. Finally, it was vital to ensure that human rights concerns were a central part of national AIDS strategies, in other words there was a need for effective mechanisms that actively supported human rights, for measures to overcome stigmatization and discrimination and for the resources needed to accomplish those purposes. Human rights were already at the centre of the Global Strategy Framework against AIDS adopted in December 2000.

5. In conclusion, he said that working in that direction would increase the chances of offering real improvements in the lives of people infected with HIV or suffering from AIDS.

CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTION OF:

(a) TORTURE AND DETENTION (agenda item 11) (continued) (E/CN.4/2001/66/Add.2)

6. Sir NIGEL RODLEY (Special Rapporteur on Torture) reported on his visit to Brazil the previous year and thanked the Brazilian authorities for the excellent cooperation he had received. In Brazil, as in many

other countries, public disquiet at the level of criminality bred a pervasive sense of insecurity leading to demands for draconian official reaction. The Brazilian authorities appeared prepared to affirm the principles of the rule of law and human rights, however. Moreover, Brazilian legislation had many positive aspects, in particular the 1997 Torture Act, but the provisions of the law were widely ignored.

7. Among the problems of concern were the exorbitant powers of heads of police stations, which enabled them to hinder investigations into offences committed by law enforcement officials, the division of the police into a military and a civil branch, which made it very difficult to monitor the acts of the former, the lack of training of police and guards, and the widespread recourse to brutality and, often, corruption. From what he had seen, the testimony he had heard and the information brought to his attention, he was in a position to confirm that torture and ill-treatment were meted out on a widespread and systematic basis in most parts of the country and at all stages of detention and were directed mainly at poor, black common criminals.

8. He was also very concerned about information he had received that reprisals, including beatings, had taken place in the juvenile detention centre in São Paulo and the prison in Recife following his visits to those establishments. In many places the conditions of detention, as the authorities candidly admitted themselves, were subhuman, especially at police stations. He pointed out that the detailed recommendations contained in document E/CN.4/2001/66/Add.2 consisted mainly of a compilation of the best practices applied in the country itself, albeit in too sporadic and isolated a way. Indeed, implementation of many of the recommendations would simply require the authorities to obey existing Brazilian law.

9. Since his visit, he had been informed that the Brazilian authorities had taken a number of encouraging initiatives: they were planning to organize a conference of officials responsible for the administration of justice on the need for application of the Torture Act, to launch a national awareness-raising campaign on the problem of torture, and to set up a telephone hotline to receive allegations of torture.

10. Mr. DINIZ BRANDAO (Brazil) said that the Government of Brazil was open to dialogue and cooperation with all human rights mechanisms. Several special rapporteurs had visited Brazil before Sir Nigel Rodley and their recommendations had been very constructive. Brazilian legislation and the country's Constitution gave priority to human rights and Brazil was party to all the relevant international instruments. It had been one of the first countries to adopt a national programme on human rights, which was currently being reviewed in consultation with civil society, with the aim of introducing improvements.

11. The Government of Brazil had always actively opposed torture. Several important measures had been adopted in the past few years to improve the effectiveness of the relevant legal framework. The adoption of the Torture Act in 1997, which made torture a crime, was a historical landmark. On the international plane, Brazil had presented a report to the Committee against Torture and had participated actively in the working group set up to draft an optional protocol to the Convention against Torture.

12. The Special Rapporteur had been given free access to the detention centres he had wished to visit. His report, although stringent, would make a useful contribution to improving Brazil's human rights policies. The Government had set up a working group within the State Secretariat for Human Rights to study measures to be taken to implement the recommendations of the report. The Brazilian delegation would be submitting a document in the days to come giving information on those measures. The Government had already planned to launch a national torture information and awareness-raising campaign in May and to set up a free telephone line for denunciations of torture in the hope that these measures would pave the way for a "national pact against torture".

13. A broad plan of action aimed at improving prison conditions was under consideration. Different ways of reducing prison overcrowding were being reviewed and there were plans to set up a national database of prisoners, to improve police training and to strengthen police ombudsmen, which could be done within the framework of a technical cooperation project with the High Commissioner for Human Rights. Bilateral

agreements could also be concluded to design and implement training projects involving, among other things, the teaching of modern and scientific research techniques.

14. With a view to following up other major recommendations made by the Special Rapporteur, the Brazilian Parliament was currently considering bills on police investigation (to be monitored more closely by the public prosecutor's office) and on unification of the civil and military police forces, and an amendment to the Constitution that would allow the General Public Prosecutor of the Republic to invoke federal jurisdiction in cases of human rights violations, subject to approval by the Superior Court of Justice.

15. The Government of Brazil was making every effort to clarify the individual cases mentioned by the Special Rapporteur. The State Secretariat for Human Rights had requested information from the competent authorities in the States of the Federation and would convey the results directly to Sir Nigel Rodley as soon as they were available. Brazil hoped to be able to rely on the expertise of the Special Rapporteur in the future as well. It was convinced of the importance of the mechanisms available through the Commission on Human Rights for the protection and promotion of human rights and hoped that all countries would receive visits from special rapporteurs, because no country, whatever its level of development, was above scrutiny by the international community.

16. His delegation asked that the text of its statement be published and circulated as part of the official records of the Commission. It thanked the Special Rapporteur and his team, as well as the United Nations Office in Brasilia, for providing a version of the report in Portuguese, which would be posted on the web site of the State Secretariat for Human Rights. Finally, he informed the members of the Commission that all Brazilian media had published large extracts from Sir Nigel Rodley's report in the day's editions along with analyses and commentaries.

17. The CHAIRPERSON declared the general debate on agenda item 11 closed.

RIGHTS OF THE CHILD (agenda item 13) (*continued*) (E/CN.4/2001/74, 76-78 and Add.1 and 2 and 151; E/CN.4/2001/NGO/23, 33, 43, 78, 96, 120, 152, 170, 178 and 188; E/CN.4/Sub.2/2000/22; A/55/442; A/55/163-S/2000/712)

18. Mr. LI Baodong (China) recalled that the Convention on the Rights of the Child stipulated the major rights of the child as being the right to subsistence, protection, development and participation. The fact that 191 States were parties to that Convention demonstrated the importance attached to the protection of the rights of the child by all States, protection that would be strengthened by the two Optional Protocols adopted by the General Assembly at its fifty-fifth session. China had signed both new instruments and fulfilled its obligations under the Convention.

19. In particular, it had submitted an initial report on the application of the Convention to the Committee on the Rights of the Child and was currently preparing its second periodic report. The rights and interests of the child were protected in China by a number of civil, criminal and administrative laws including the Protection of Juveniles Act, the Health Protection of Mothers and Infants Act, the Compulsory Education Act and the Adoption Act. Numerous measures had also been taken to deal with the nutritional, health and education needs of children. China's achievements in that field had been broadly recognized by the international community and commended in particular in the 1996 report by the United Nations Children's Fund (UNICEF) on the situation of the world's children.

20. According to the Convention, States Parties had to ensure that the education of children was directed at inculcating respect for human rights and love of peace. His delegation therefore deeply regretted the recent approval by the Government of Japan of the publication of a new history textbook that glorified the acts of war by Japan and concealed the reality of Japanese aggression against other countries of Asia during the Second World War. The Government of China condemned such a distortion of history, which was offensive

to the peoples of the victim countries, and urged the Government of Japan to adopt a responsible attitude and take prompt measures to remedy the problem caused by the textbook.

21. Ms. INAYATULLAH (Pakistan) said that her country had always worked to safeguard the rights of the child. It had accordingly taken an active part in the drafting of the Convention on the Rights of the Child and had been one of the first countries to ratify it. Its provisions had been incorporated in domestic legislation and numerous legislative measures had been taken to guarantee the rights of the child in Pakistan. For example, in order to better protect children in conflict with the law, the Juvenile Justice System Ordinance had raised the age of majority to 18. Moreover, in accordance with article 37 of the Convention, juveniles could no longer be sentenced to death or hard labour. In the past two months around 400 juveniles sentenced for various offences had been granted amnesty and special efforts were being made to speed up legal proceedings involving children and give them access to free legal assistance.

22. A modern birth registration system was being set up to safeguard the right of every child to an identity. The registration process, which would not be an easy task in view of the fact that 85 per cent of deliveries took place in the home, was to begin in June 2001 and should be completed by the end of the year. With a view to encouraging the involvement of civil society, the Government had facilitated the establishment of a coalition of child NGOs to enable them to pool their experience and resources. To ensure the right to education, a law on compulsory primary education was being prepared and the Government had adopted an education reform strategy aiming to increase the rate of primary school registration from 83 per cent to 100 per cent before the year 2015. In the health sector, an accelerated vaccination programme against the six main diseases should considerably reduce maternal and infant mortality rates in the next 15 years. Efforts were being made to improve infant nutrition and a food programme aimed at reducing malnutrition among girls was being finalized.

23. Since the new Government had taken office, it had approved an action plan to eliminate child labour by the year 2010, which was already being implemented. Pakistan was on the threshold of signing the International Labour Organization (ILO) Convention 182 on the Worst Forms of Child Labour. A special fund for the abolition of bonded labour and the rehabilitation of child labourers had been set up with an initial allocation of 100 million Pakistani rupees and a pilot project would be initiated in the near future. Various measures had also been taken for handicapped and street children in collaboration with specialist NGOs. Campaigns to heighten awareness of human rights and of the principles of tolerance, justice and democracy had been introduced. Training programmes in the field of human rights had been instituted for teachers, police officers and prison staff, and special human rights courses had been organized in a large number of schools as part of the Associated Schools Project, which had received the United Nations Educational, Scientific and Cultural Organization (UNESCO) Prize for Human Rights Education in the year 2000. A human rights study centre had been set up in the law faculty of the University of Peshawar and similar centres were to be established in all of Pakistan's major universities. Pakistan also intended to sign the two Optional Protocols to the Convention on the Rights of the Child.

24. In spite of the progress already achieved, there was still a lot to be done to improve the situation of children in Pakistan. The task was a difficult one given the difficulties that the Government had to confront, particularly the service of the external debt, the unstable situation in the region due to the flagrant violations of human rights that persisted in occupied Kashmir, and the burden of 2 million Afghani refugees on Pakistani territory. The Government would nevertheless make every effort to modernize its legislation, apply the measures taken and develop awareness with a view to achieving better protection of children and more secure guarantees of their rights.

25. Ms. PEREZ DUARTE Y NORONA (Mexico), speaking on behalf of the Group of Latin American and Caribbean States (GRULAC), said that every effort should be made to guarantee the rights set forth in the Convention on the Rights of the Child and that national laws and practices should be adapted accordingly. The members of GRULAC had always been attentive to all activities relating to children at an international

level, as they had demonstrated at their last Ibero-American Summit in Panama in the year 2000. They hoped that the special session of the General Assembly devoted to children, to be held in New York in September 2001, would produce positive and concrete results that would benefit efforts designed to assist that vulnerable group.

26. The World Conference against Racism in Durban should take due account of the situation of children who were victims of racial discrimination and intolerance and of the fact that the best interests of children should always have priority in programmes against racism and racial discrimination. Suggestions to that effect had been made in the Declaration and Plan of Action adopted at the Regional Conference of the Americas in Santiago in preparation for the World Conference. In the final document to be adopted at the Conference special mention should be made of the particular situation of children of African descent, indigenous children and migrants, who suffered discrimination twice over owing to their vulnerability both as children and as members of a minority. Since discrimination of that nature was even greater in the case of children living in difficult circumstances such as extreme poverty, it was essential that those children be granted the necessary assistance to enable them to overcome the obstacles to their development. GRULAC also vigorously condemned the forced recruitment of children in regular or illegal armed forces and the abduction of children for that purpose.

27. Universal and total protection of children called for cooperation and collaboration by families, society and the State at a national level and by the competent United Nations bodies at an international level. It should not be forgotten that children were the only hope for a more tolerant world in which all human rights, including the right to development, would be fully realized. In that spirit, the members of GRULAC and the European Union would be submitting a draft resolution to the Commission on the rights of the child and trusted that it would be adopted by consensus.

28. Mr. SOLARI (Argentina), endorsing the statement made by the representative of Mexico on behalf of GRULAC, said that promotion and protection of the rights of the child were among the priorities of all Latin American countries, including Argentina. It had therefore welcomed the adoption by the General Assembly of the two Optional Protocols to the Convention on the Rights of the Child and would ratify them probably before the end of the year.

29. The right of the child to preserve its identity, including its nationality, name and family relations, and to have its identity restored if it had been illegally deprived of it, had always been a priority matter in Argentina, where the demonstration by the Grandmothers of the Plaza de Maio had made it possible to discover the whereabouts of almost 70 children who had disappeared during the dictatorship. Argentina was aware of the importance for a child of being able to maintain regular personal relations with its parents and family and was therefore deeply concerned by the frequent cases of illicit removal of children to other countries and their non-return. It had always contributed to efforts aimed at putting an end to that situation and in February 2001 had, for example, ratified the Organization of American States (OAS) Inter-American Convention on the International Return of Children, which had entered into force in 1994. The Convention was designed to protect the right of children to have regular contact with their parents, a particularly important consideration in the era of globalization, marked as it was by considerable movements of persons between countries and regions and by numerous violations of the rights of the child resulting therefrom. The Presidents of the Latin American countries that had taken part in the Ibero-American Summit in November 2000 had expressed their concern at the increasingly widespread phenomenon of abduction of minors by one of their parents and had welcomed the proposal by Argentina to convene an expert meeting in Buenos Aires to study that question.

30. Pursuant to article 4 of the Convention on the Rights of the Child, Argentina had introduced many legislative, institutional and administrative measures to implement the rights recognized under that Convention. For example, the Government of Argentina was planning to transform the Juvenile and Family Affairs Council into an agency called upon to act as guarantor of the Convention, to promote the

establishment of a federal council responsible for child policies that would embrace all competent provincial bodies, to collaborate actively in the adoption of national and provincial laws guaranteeing the doctrine of integral protection for children and to conduct a complete review of the legal arrangements relating to minor children in Argentina. It also planned to set up a federal system to protect the rights of the child so as to harmonize the legislative and judicial action to be taken in each State on the basis of the principles enshrined in the Convention, which redefined the relationship between the State and children by making the latter active subjects of the law.

31. Mr. UGALDE ALVAREZ (Costa Rica), associating himself with the comments made by the representative of Mexico on behalf of GRULAC, wished to emphasize the point that the rights of the child could not be respected, protected and realized unless they were incorporated as fundamental values of civil society, for which purpose they had to be taught and cultivated. Education played an essential role in that respect. Recognition and effective implementation of those rights were particularly important in view of the fact that modern society subjected many traditional, family and cultural values to a good deal of pressure. The Convention on the Rights of the Child and the two Optional Protocols recently adopted established the conditions required to enable children to blossom and enjoy their rights to the full.

32. In Costa Rica the principles enshrined in the Convention on the Rights of the Child had been incorporated in domestic law and were applied through various legislative acts designed to protect minors, including the recent Responsible Procreation Act, which would play an important role in ensuring the child's right to an identity. All of the relevant laws stressed the need to take into consideration the best interests of the child and the obligation of the State to take the necessary measures to guarantee the special rights of children and juveniles. To facilitate the work of the Committee on the Rights of the Child, which had many reports on the application of the Convention to consider, given the large number of States Parties to that instrument, Costa Rica had proposed in 1995 an amendment to article 50 of the Convention calling for an increase from 10 to 18 in the number of experts on the Committee. It therefore urged States that had not yet done so to ratify the amendment so that it could enter into force.

33. The Government of Costa Rica had adopted preventive and punitive measures to combat the scourge of sexual exploitation of children that had appeared in that country with the development of the tourist industry. In particular, it had reformed the Penal Code in order to define and set punishments for various acts connected with the sexual exploitation of children and, in cooperation with the Government of the United States of America, had devised a training programme on investigation methods for the officers concerned. Furthermore, the National Commission against the Sexual Exploitation of Children, which was part of the Ministry of Justice and included representatives of State institutions and NGOs, was responsible for organizing campaigns and developing national programmes to combat such illegal activities. Civil society was also participating in the implementation of rehabilitation projects for minors who had been victims of exploitation.

34. Ms. DINH THI MINH HUYEN (Viet Nam) said that the almost universal ratification of the Convention on the Rights of the Child and the adoption of the Optional Protocols to the Convention by the United Nations General Assembly constituted a positive step towards strengthening the international legal basis for the protection of the rights of the child. Children now expected the international community to fully implement those instruments. For that purpose an enabling environment was required in which peace, stability and development could prosper.

35. Viet Nam had been one of the first countries in Asia to accede to the Convention on the Rights of the Child. The Government of Viet Nam had also recently signed the two Optional Protocols to the Convention and ratification was under way. Right after becoming party to the Convention it had promulgated, in 1991, two major laws concerning the protection, care and education of children and the universalization of primary education. It had also signed and ratified a number of ILO Conventions, including Convention 182 on the Worst Forms of Child Labour. During the past decade, despite the numerous economic and financial

difficulties confronting the country, the Government had devoted particular attention to implementation of the rights of the child. Thanks to those efforts and the assistance and cooperation of UNICEF, other international organizations, NGOs and a number of countries, Viet Nam had been able to successfully implement its first National Plan of Action for Children for 1991-2000. More than 93.3 per cent of children below one year of age received the six basic vaccinations; diseases due to vitamin A deficiency and poliomyelitis had disappeared; and children in difficulty and disabled children received special care. In 2000, the universalization of primary education had been achieved in all regions of the country.

36. Viet Nam was still faced by problems such as street children, drug-addicted and sex-abused children, and malnutrition of children under five years of age. A comprehensive review of the implementation of the first National Plan of Action for Children had been undertaken in order to evaluate its achievements. The review had revealed the need for the State to integrate the National Plan of Action in socio-economic development plans as a whole. The legal system and socio-economic policies also needed to be improved in general, and with regard to children in particular, by emphasizing communications and education programmes. Finally, the capacities of bodies responsible for managing and monitoring implementation of the National Plan of Action needed to be enhanced. A second National Plan of Action had been developed for the period 2001-2010. Several priority objectives had been defined regarding child health and nutrition, the provision of drinking water, sanitation, the quality of primary education, recreation, child protection and enhanced youth participation. Viet Nam hoped to be able to continue to benefit from the aid of the international community in implementing its children's programmes.

37. Mr. VILLAPAREDES (Venezuela) said that the Constitution of Venezuela adopted in December 1999 established the basic principles set forth in the international human rights instruments. In particular, it contained provisions to strengthen protection of the civil and political rights of all citizens, including children and juveniles, and to take into account the new doctrine of integral protection of the rights of the child. Children and juveniles as well as NGOs had been involved in the drafting of the Constitution through a forum for the rights of the child. Moreover, two national assemblies of children and juveniles had been organized.

38. The needs of children and juveniles, particularly with regard to education, health and nutrition, occupied an important place in the Government's social policies and programmes. It was nevertheless aware of the need for a comprehensive process to set up mechanisms that would guarantee the rights of a child to identity and registration at birth, protection against all forms of ill-treatment and respect of the obligation to provide food. In that spirit, the Government had undertaken to develop a new legal protection system for children involving the establishment of offices for the defence of children and juveniles and of a National Council on the rights of children composed of representatives of Government and civil society, as well as the provision of training for juvenile and family judges in the application of the new legal provisions.

39. The delegation of Venezuela was concerned by the reduction of public funds available for development aid and by the negative impact of globalization, which posed the greatest threat to the most vulnerable groups, including children. It trusted that all the issues mentioned would be dealt with at the special session of the General Assembly devoted to children.

40. Mr. SALIM (Kenya) said that the recent adoption of the two Optional Protocols to the Convention on the Rights of the Child showed the extent to which the cause of children was espoused by the international community as a whole. Kenya had always attached great importance to the well-being of children. It had therefore welcomed the Special Rapporteur on the sale of children, child prostitution and child pornography in 1997 and had submitted to the Committee on the Rights of the Child its initial report on the implementation of the Convention on the Rights of the Child in January 2000.

41. The Government had also finalized a draft children's bill in the year 2000. The bill provided a better legal and institutional framework to enhance the protection of children both inside and outside the family

environment. It also dealt with the situation of child offenders and explicitly required judicial officers having cognizance of child offenders to consider the best interests of the child. It provided that no child could be sentenced to death or imprisonment, placed in a detention camp or subjected to corporal punishment. Moreover, no child below the age of 10 could be placed in a rehabilitation centre. The bill was expected to be adopted during the current parliamentary session. The finishing touches had also been put on a bill relating to violence within the family, which provided for intervention of the courts to reduce and prevent violence in domestic relationships and granted protection and relief for the victims.

42. Kenya had published a national programme of action for children in 1992 whose purpose was to ensure implementation of the Declaration of the 1990 World Summit for Children and to serve as a basis for the establishment of national strategies in that area. The programme of action was being implemented within government structures and by NGOs. The Government of Kenya faced various problems in its efforts to protect the rights of the child. The main one was poverty, which often forced children to drop out of school or caused major difficulties in access to health care. If significant improvements were to be achieved in that area, those problems needed to be solved on a priority basis. Moreover, the rural exodus had inevitably led to the growth of slums, which provided breeding grounds for criminality, violence and abuse, from which children often suffered the most. The practice of early marriage had also posed a problem in the past but the Government had taken stern action to ensure respect for the minimum marriage age. Finally, a national human rights commission to be set up in the near future would be charged with the promotion and protection of human rights and also with the prevention of human rights violations and their investigation.

43. Mr. YUN Byung Se (Republic of Korea) said that the international community should not become complacent. The almost universal ratification of the Convention on the Rights of the Child with its two Optional Protocols and the adoption of ILO Conventions condemning child labour and the various declarations and programmes of action brought forward at international conferences were positive elements, to be sure, but the reality that children faced was still not very encouraging. Around 200 million children under five years of age suffered from malnutrition, 250 million children worked, almost half the children in the least developed countries had no access to primary education, 510,000 children under the age of 15 had died of AIDS in 1998 alone, and around 540 million children lived in dangerous situations.

44. There was global consensus that exploitative child labour had to be eliminated. However, it would be impossible to find a solution to that problem without confronting the underlying cause, namely poverty. Too many children throughout the world were also forced to bear arms and learned to kill before learning to read. The Republic of Korea therefore unreservedly supported the appeal launched by Mr. Olara Otunnu, the Special Representative of the Secretary-General for children and armed conflict, contained in document E/CN.4/2001/76. Regarding the sexual exploitation of children, adequate criminal legislation was urgently required to combat child prostitution and pornography. The perpetrators of those heinous crimes should be brought to justice and the customers of child prostitutes or pornography should not go unpunished. The recommendations contained in the report (E/CN.4/2001/78) by the Special Rapporteur on the sale of children, child prostitution and child pornography represented a good basis for discussion in that respect. Young girls were the most vulnerable and disadvantaged group and faced double discrimination. Statistics showed that in many parts of the world boys were given priority over girls in education and nutrition. For that reason, the Republic of Korea supported the goal set by the Secretary-General in his Millennium Report that by the year 2015 every child, regardless of sex, should have access to primary education.

45. The role of education in the protection and promotion of the rights of the child could not be emphasized enough. The teaching of history based on facts and high ethical standards was an integral part of the process. Unfortunately, some textbooks recently approved by the Government of Japan omitted or distorted historical facts. The Republic of Korea was extremely concerned by the negative effects that such distortions could have on the education of Japanese children and urged the Government of Japan to rectify them and take measures to prevent them from recurring.

46. An important development in children's health had taken place recently with the inauguration in Seoul in 1997 of the International Vaccine Institute. Since its establishment, the United Nations Development Programme (UNDP), the World Health Organization (WHO) and 33 countries, together with the Bill and Melinda Gates Foundation, had contributed to its operation. The role played by NGOs in promoting children's health and well-being should also be stressed. Their devotion and determination had helped change the destiny of many children and the difficult work that they accomplished deserved recognition.

47. Mr. MATTALITTI (Indonesia) said that the international community had made substantial progress in promoting and protecting the rights of the child since the World Summit for Children, as could be seen, for example, from the recent adoption of the two Optional Protocols to the Convention on the Rights of the Child. Regarding the involvement of children in armed conflicts, there were several recommendations that deserved the full attention of the international community in the report by the Special Representative of the Secretary-General for children and armed conflict contained in document E/CN.4/2001/76.

48. Like the Secretary-General's Special Representative, he believed that the special session of the General Assembly devoted to children would be a very important event and hoped that it would focus particularly on development issues such as health care, education, poverty and neglect and on the future implications of globalization. One of the main current difficulties lay in the search for resources that would allow developing countries to benefit from globalization and the rapid advances in information and communications technology. There was no doubt, in that respect, that the financial crisis in Indonesia had had and was continuing to have a negative impact on children. Calls for a more deregulated economy and increased democracy had produced results, but at the expense of extreme suffering by children. It had not been anticipated that developing countries and, within those countries, the most vulnerable groups would be left behind while globalization enabled a select few to become wealthier. In spite of the progress that had been made, the number of children requiring aid had increased, the infant mortality rate remained high and more needed to be accomplished in the areas of nutrition, maternal health care and basic education.

49. One positive advance that had been made was the ratification by the Government of Indonesia of ILO Convention 182 on the Worst Forms of Child Labour, which had now been incorporated in Indonesia's legislation, strengthening existing legislation banning children from working in certain hazardous sectors. The ratification of that Convention by a large number of countries was encouraging. The international community, and the developing countries in particular, should be aware of the need to provide education for children to help them escape from the vicious circle of poverty and underpaid work.

50. Indonesia devoted considerable attention to meeting the needs of children in conflict situations or those displaced as a result of ethnic violence. For that purpose, the Government had created the National Commission for Child Protection as well as independent child protection bodies, and a bill on child protection was currently being considered by Parliament. It was also working to strengthen the social security system and to ensure the integrity of the family unit through targeted programmes for women and initiatives to deal with the problem of ever-increasing unemployment rates. The efforts to protect children were complemented by closer cooperation between the Government and national and local NGOs and by decentralized decision-making.

51. Like many other developing countries, however, Indonesia could not meet the economic and social development commitments it had assumed at various international conferences and resolve the problems obstructing effective implementation of the rights of the child unless it received greater support from the international community.

52. Ms. KUNADI (India) said that the Constitution of India contained various provisions to protect children from exploitation and to guarantee their development and well-being, including their right to health and education. A number of laws had also been passed to complement the provisions of the Constitution. The adoption of the National Policy for Children in 1974 had been followed by the setting up of specialist

services for children and the establishment of a national fund to finance the activities of voluntary children's organizations. The Integrated Child Development Services established in 1975 remained the major government programme for promoting the health and well-being of children under the age of six and their mothers. The Department of Women and Child Development, established in 1985 in the Ministry of Human Resource Development, had formulated a National Plan of Action for Children in 1992 on the basis of which local plans of action had been adopted by most States. Finally, the "Voices of Children" campaign had been launched with the support of UNICEF to encourage children's participation in all matters concerning their lives.

53. Thanks to health-care measures, including vaccination campaigns, the infant mortality rate had dropped significantly throughout India. The education situation had also improved and the Government was currently considering a draft amendment to the Constitution to include the right to free education until the age of 14. It had also set itself the objective of providing universal primary education before the year 2010. Furthermore, a number of programmes had been implemented to deal with the problem of child labour and the Government of India, which had ratified the Convention on the Rights of the Child in 1992, was currently considering ratification of the ILO Convention on the Worst Forms of Child Labour.

54. India was also particularly concerned about the recruitment of children in armed forces. Unfortunately, there were schools in the region that indoctrinated children and promoted hate and intolerance, causing them to join terrorist organizations. It therefore urged the international community to continue combating such practices.

55. Ms. IAMSUDHA (Thailand), recalling that her country had ratified the Convention on the Rights of the Child in 1992, said that the Government of Thailand remained committed to protecting and promoting the rights of the child. She noted that Her Royal Highness Princess Maha Chakri Sirindhorn had agreed to become a member of the Council of the recently established Refugee Education Trust. The Government of Thailand had also submitted the candidature of Ms. Chutikul, the first woman cabinet minister in Thailand, to the Committee on the Rights of the Child.

56. Thailand, which had ratified ILO Convention 182 on the Worst Forms of Child Labour in February 2001, was currently considering the ratification of Convention 138 on the Minimum Working Age. It was also in the process of finalizing a draft Memorandum of Understanding with the Government of Cambodia on the prevention of trafficking in women and children and the protection of the victims of such trafficking. It hoped to conclude similar memorandums of understanding with other neighbouring countries in the near future.

57. Thailand had recently completed its end-of-decade report on the application of the World Declaration on the Survival, Protection and Development of Children in preparation for the special session of the General Assembly devoted to children, to be held in September 2001. Since the World Summit for Children in 1990, the Government of Thailand had adopted many measures to increase access by children to basic social services and to improve the situation of marginalized and underprivileged children. The rights of the child were specifically mentioned in the new Constitution of 1997. The new Education Act, passed in 1999, reflected the policy that children should be at the centre of all education processes and extended basic education to 12 years.

58. Measures to prevent and eliminate trafficking in women and children had been adopted in 1997 and the Code of Criminal Procedure had been revised in 1999 to allow video recordings to be used in investigations involving children and requiring the presence of a social worker or psychologist, and to prohibit direct confrontation of children with their abusers. Several programmes to protect and help children in extremely difficult circumstances had been adopted, including the National Plan of Action for the Prevention and Eradication of Commercial Sexual Exploitation of Children and the National Plan of Action for Family Development, implemented jointly by the Government and NGOs. There were 84 shelters in Thailand where

women and children victims of trafficking could receive medical, social and psychological assistance. Following her recent visit to one of those centres, the High Commissioner for Human Rights had expressed the wish that Thailand share its experience with other countries, in the Balkan region, for example. The Government of Thailand would be most willing to do so. It was also committed to continuing its activities in favour of children through national, regional and international partnerships.

59. Mr. ATTAR (Saudi Arabia) said that Islam guaranteed respect of the basic rights of the child and accorded children a privileged place within the family, which was regarded as the fundamental social unit. Implementation of the Convention on the Rights of the Child in Saudi Arabia had been entrusted to the National Commission for Child Welfare, set up in 1979 under the aegis of the Ministry of Education. Saudi Arabia had submitted its initial report on the implementation of the Convention to the Committee on the Rights of the Child on the due date.

60. The protection of underprivileged and vulnerable children was one of the priorities within the national development plans. Government policies emphasized the protection of the family and the role of parents, thus preventing situations harmful to the child's development, as a consequence of which there were no street children in Saudi Arabia. The minimum working age was 18 years and legislation prohibited employing children in arduous work. Saudi Arabia had decided to accede to ILO Conventions 138 and 182 on child labour, thereby demonstrating its full commitment to that issue even though the phenomenon did not exist in the Kingdom.

61. A new law had been promulgated setting up a Higher Council for the Welfare of the Disabled so as to guarantee access by such children to health, education and social services and to facilitate their rehabilitation and integration. Many institutions provided assistance to children with sight and hearing disabilities, who received free hearing and vision aids, and to mentally and physically handicapped children. A social counselling unit offering children in difficult circumstances a free telephone line had also been recently established. Moreover, the Government of Saudi Arabia had been the first in the region to establish a committee to investigate child abuse, which worked in close cooperation with hospitals, police departments and the courts.

62. While welcoming the adoption by the General Assembly of the Optional Protocol on the sale of children, child prostitution and pornography, his delegation stressed that it was up to States themselves to take the necessary steps to combat those phenomena at a national level, in particular by amending their legislation so as to severely punish those responsible for the sexual exploitation of children. Saudi Arabia had so far managed to avoid that scourge thanks not only to the precepts and moral values of the Sharia but also to the severity of the punishments.

The meeting rose at 1 p.m.

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COMMISSION ON HUMAN RIGHTS

Fifty-seventh session

SUMMARY RECORD OF THE 51st MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 11 April 2001, at 3 p.m.

Chairperson: Mr. DESPOUY (Argentina)

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RIGHTS OF THE CHILD (continued)

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The meeting was called to order at 3.20 p.m.

RIGHTS OF THE CHILD (agenda item 13) (continued) (E/CN.4/2001/74, 76, 77, 78 and Add.1-2 and 151; E/CN.4/2001/NGO/22, 33, 43, 78, 96, 120, 152, 170, 178 and 188; E/CN.4/Sub.2/2000/22; A/55/442; A/55/163-S/2000/712)

1. Mr. PALWANKAR (International Committee of the Red Cross (ICRC)) said that, following the encouraging number of signatures and ratifications of the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict, the international community was preparing for the forthcoming special session of the General Assembly with specific proposals regarding its implementation. States still needed reminding of their responsibilities, in spite of the number of articles of international humanitarian law aimed at giving children special protection.

2. ICRC was an operational and pragmatic organization. In that spirit, it had incorporated article 38 of the Convention and the Optional Protocol into its advisory services to States. It was also urging States to sign and ratify the Rome Statute of the International Criminal Court, under which the recruitment of children under 15 constituted a war crime. ICRC outreach programmes were still being refined to include the problem of children when teaching humanitarian law to armed forces, police forces and non-governmental armed groups. Similar outreach programmes were directed at young people, explaining international humanitarian law or drawing attention to the danger of landmines.

3. That holistic approach was supported by its operations in the field, where ICRC provided comprehensive protection and assistance for the victims of conflicts, with particular attention to the needs of children. While only respect for humanitarian law could prevent situations such as the displacement of populations, ICRC maintained its emergency activities, medical and nutritional assistance and orthopaedics: almost 300 children had been injured or killed by mines in Bosnia and over 540 in Afghanistan.

4. Its prison work had involved in 2000 visits to 230,590 people detained in 65 countries, of whom 302 females and 2,351 males were under 18. It continued to register unaccompanied children and had reunited 2,578 of them with their families. It worked with national red cross societies and other organizations to develop ways of improving its work, notably by means of an exchange of information through the International Red Cross and Red Crescent Movement. Psychosocial rehabilitation projects were undertaken in cooperation with national societies, such as the programme developed with the Algerian Red Crescent to help children traumatized by violence.

5. While ICRC considered that the universal recruitment age should rise to 18, the international humanitarian law provision that no child under 15 should bear arms must be implemented immediately.

6. Mr. OLEJAS (World Health Organization (WHO)) said that the sexual and reproductive health of the world's 1.2 billion adolescents was a key component of their overall health and development. WHO strongly supported the inclusion of adolescents, a largely overlooked age group, among the topics to be considered at the special session of the General Assembly.

Although adolescents were generally perceived to be healthy, more than a million died annually. They were at the centre of the HIV/AIDS pandemic, with over 2.5 million becoming infected every year. The inclusion of the internationally agreed target on reducing HIV/AIDS, using infection rates in young people as the benchmark, in the outcome documents for the special sessions on children and on HIV/AIDS was a welcome development.

7. Between one fifth and one sixth of all births annually were to women aged between 15 and 19. Adolescent girls faced special risks in pregnancy, as did their babies, and maternal mortality among that age group was twice as high as for women in their 20s. Young adolescents were more likely than older females to experience premature labour, miscarriage and stillbirth. Such deaths and ill-health were partly due to sex and age discrimination both within society as a whole and within the health services. Adolescents should be provided with information and services to address their reproductive and sexual needs in a manner consistent with their evolving capacities.

8. The sexual and reproductive health of adolescents was further undermined by the widespread incidence of sexual violence, which affected children throughout the world. In some countries, up to 36 per cent of girls and 29 per cent of boys had suffered from sexual abuse, while in others up to 46 per cent of girls and 20 per cent of boys had experienced sexual coercion. Such abuse could result in non-fatal injuries, sexually transmitted diseases and unwanted pregnancies. Victims were more likely to be self-destructive, to engage in casual sex and to work in prostitution. The first WHO World Report on Violence and Health would present global evidence and propose effective strategies to prevent the growth of the problem.

9. In collaboration with its United Nations partners, WHO had articulated five basic requirements for adolescent health and development: the creation of a safe and supportive environment; provision of information; provision of counselling and skills; improving access to health services; and facilitating participation by the adolescents themselves. All too often, however, such basic requirements remained unfulfilled. The participation of all sectors of the community, including the young people themselves, was crucial in enabling adolescents to fulfil their potential.

10. Mr. HADY (Observer for Iraq) said that, in the 1970s and 1980s, his Government had expended tireless efforts and large sums of money to provide social services for the population, in observance of humanitarian principles and human rights. The bulk of that expenditure had gone on children, who constituted the nation's future. Health care had been provided free of charge and life had been good for the children, as the United Nations Children's Fund (UNICEF) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) had acknowledged. The embargo imposed on his country since August 1990 had destroyed all those achievements, however.

11. Children, one of the most vulnerable sectors of the population, had been seriously affected by the embargo. A million had died as a result of the shortage of medicines and basic services. Family poverty had led to children dropping out of school and seeking work to provide for their families. The disregard of children's welfare by the United States and United Kingdom was a flagrant violation of international human rights instruments, international humanitarian law and the right to life by a criminal operation that had no legal or moral basis. He called upon

the Commission to condemn those Governments' crimes, which left the Iraqi people faced with the spectre of death, hunger and deprivation, and to recommend the lifting of the embargo which many people, not least the Secretary-General, had urged.

12. Mr. A. AL-KHALIFA (Observer for Bahrain) stressed the importance that his delegation attached to every aspect of the rights of the child. Concern for children's welfare ensured that the next generation should be brought up to respect human rights as a pillar of development and prosperity. His country's National Action Charter stipulated the provision of care for mothers and children, while the Constitution provided for the needs of children of all ages and the protection of minors. The Criminal Code contained laws against sexual exploitation, kidnapping, trafficking in people and prostitution, the penalties being correspondingly heavier when the victim was a child.

13. Bahrain was a party to the Convention on the Rights of the Child and the International Labour Organization (ILO) Convention No. 182 on the Worst Forms of Child Labour, among other international instruments. The success of its efforts to ensure that its children were given the requisite health care, education and culture could be seen from the fact that the mortality rate of children up to five years of age was as low as that in developed, industrialized countries. Bahrain was deeply committed to human rights, the primacy of law and of Islamic law. It therefore believed that children should receive adequate protection throughout the world and especially in conflict areas.

14. Ms. GEELS (Observer for New Zealand) said that the almost universal commitment to the Convention on the Rights of the Child was remarkable. However, while the Convention continued to guide the international community, the plight of many children still gave rise to grave concern. Countless children were mired in poverty or died from entirely preventable diseases. Many were suffering in war zones and others were subjected to economic and other forms of exploitation. Violence and sexual abuse of children continued to be a major problem. Her delegation urged all States to implement their obligations under the Convention and, if they had not already done so, to ratify it.

15. New Zealand's second report to the Committee on the Rights of the Child in December 2000 had given her Government the opportunity to examine its own policies for child and youth development and measure its progress against the standards set by the Convention. It had signed both new Optional Protocols and was working on their ratification. The fact that many countries had already signed and ratified the Optional Protocol on Involvement of Children in Armed Conflict demonstrated the general abhorrence of the use of child soldiers, while that on the Sale of Children, Child Prostitution and Child Pornography addressed a particularly pernicious aspect of the exploitation of children. It was to be hoped that all States would make concerted efforts to eliminate such crimes. Her Government was working on a National Plan of Action against the Commercial Sexual Exploitation of Children.

16. Her Government had also signed the Protocol to the United Nations Convention against Transnational Organized Crime to Prevent and Punish Trafficking in Persons, Especially Women and Children and was working towards its ratification. In addition, it had signed ILO Convention No. 182 and urged other States to do likewise.

17. The forthcoming special session of the General Assembly offered a unique opportunity to renew existing commitments and improve the world for children. A rights-based approach should be maintained, founded on the Convention on the Rights of the Child. Children should have a say in issues affecting them. Her Government had developed, in consultation with children and young people, the Agenda for Children and the Youth Development Strategy.

18. Two other major conferences related to children's rights and needs. The special session of the General Assembly on HIV/AIDS must address the rights of children and adolescents to have information enabling them to protect themselves against HIV infection and obtain access to reproductive health care. At the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, it would be important to ensure that the special vulnerability of children was addressed and to recognize the importance of educating children to respect diversity.

19. Mr. SELIM-LABIB (Observer for Egypt) said that his Government attached vital importance to the well-being of children, who constituted a country's future. Egypt, which had been one of the first countries to ratify the Convention on the Rights of the Child, had enacted a whole set of legislation to protect and favour children. Much action was carried out in conjunction with civil society. On the wider scene, the Government had been active in mobilizing support for the Convention. Indeed, it was hosting the African preparatory meeting for the special session of the General Assembly.

20. His Government's commitment to children was demonstrated by its increased spending on the social budget, which it saw as the country's investment in its future. Over 93 per cent of children were vaccinated, 18 million attended school and enjoyed a range of social services, and expenditure on health had risen from LE 3.5 billion in 1991 to LE 16.5 billion in 2000. All forms of exploitation of children were outlawed. The National Council for Childhood and Motherhood played a vital role in improving the lot of Egyptian children, taking all their needs into account and working with ministries and non-governmental organizations (NGOs). His country had recently ratified ILO Convention No. 182 and ensured that its legislation was in conformity with the Convention and that specific measures to deal with child labour were in place. The Government had also taken the opportunity to engage in international cooperation, particularly through the International Programme on the Elimination of Child Labour (IPEC).

21. The country faced many challenges, however one of the most pressing being the problem of population growth. The proper development of children must be ensured if the country was to progress and achieve an acceptable standard of living for all. Lastly, any mention of children was bound to call to mind the children of Palestine and their suffering. He called on those involved in murdering Palestinian children to cease their activities. The international community should assume its responsibilities in that regard.

22. Ms. SANTOS PAIS (United Nations Children's Fund (UNICEF)) said that the forthcoming special session of the General Assembly provided an opportunity to review achievements and re-energize commitments to laying the foundations for a child-friendly world in which the human rights of children provided a real indication of social progress. Many countries had taken the opportunity to make assessments of their own performance. Some

achievements had been impressive, with national agendas for children's rights, benchmarks to promote and monitor progress, coordinating mechanisms, child-centred policies, law reform and child-impact analysis.

23. There had also been considerable achievements in health and education. The mortality rate of children under five had declined significantly, although countries affected by HIV/AIDS, conflict and poverty had found the struggle a difficult one. The high levels of child immunization attained in the 1980s had been sustained and even exceeded. Primary school enrolment had increased across the world, with some decrease in gender disparities. Moreover, more data existed: the number of countries collecting data on trends in child malnutrition, for instance, had tripled during the 1990s. Similarly, the need for disaggregated data had been recognized.

24. The UNICEF End Decade Review Reports had also highlighted major problems that countries had previously been reluctant to address, ranging from abuse within the family to commercial sexual exploitation, the use of child soldiers, the devastating impact of HIV/AIDS and clandestine child labour. Socially taboo issues had been placed on the agenda in many countries for the first time. To address such problems, significant international solidarity was required.

25. The End Decade Review Reports also revealed where a serious commitment to children had been shown. Many countries emphasized the growing involvement of children in decision-making. In Latin America and the Caribbean, over 12,000 young people had been asked their views. While, they generally acknowledged the central role of the family in promoting their development and safeguarding their rights, a high percentage also indicated that the household often failed to create a space where views could be freely expressed and difficulties shared. While recognizing that progress had been made, they envisaged the future with a high degree of pessimism. It was encouraging to see their concern for those living in extreme poverty and their identification of solidarity and education as major values to preserve. The challenge was for the international community to take their views into account and act on them.

26. Ms. SHAMBOS (Observer for Cyprus) said that not only were children the future but they needed to be made ready to face the future; and that future must be one that could be faced, in which respect for human rights was paramount. Children did not exist in isolation but were actors in a changing world of family interactions and social forces, with the capacity to participate in a child-centred society.

27. Cyprus was such a society. Legislation for the care and protection of children was regularly reviewed and updated in conformity with new international instruments on children's rights, such as the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. Her Government was currently implementing a five-year multidimensional plan of action for children. It had also established a Central Committee for Monitoring the Implementation of the Convention, in cooperation with NGOs.

28. Ms. SCHONMANN (Observer for Israel) said that her country had made significant advances in the field of children's rights, as evidenced by its legislation, case law and government policy. The raising of public awareness of children's rights was a national priority, with civil society playing an important role. In school curricula, growing emphasis was being placed on human rights education, with a particular focus on children's rights. Education currently represented the second largest item in the national budget.

29. In December 2000, the Knesset had passed a law defining the rights of pupils within the school environment, in accordance with the principles enshrined in the Convention on the Rights of the Child. The law imposed sanctions for discrimination against pupils on the basis of socio-economic status, ethnic background or political belief. It also prohibited the use of corporal or degrading punishment. She was also pleased to inform the Commission that Israel had decided to sign the Optional Protocol on Involvement of Children in Armed Conflict.

30. Mr. de MEYER (International Labour Organization (ILO)) said that Convention No. 182 on the Worst Forms of Child Labour was the most rapidly ratified Convention in the 82-year history of ILO, with 71 ratifications to date. Moreover, 105 ILO member States (out of a total of 175) had ratified the ILO Minimum Age Convention No. 138. Accordingly, the Organization's treaty monitoring activity had been intensified. Its quadrennial Global Report on Child Labour - based also on information provided by non-States parties to ILO Convention No. 138 - provided an additional means for it to assess the effectiveness of its technical cooperation with countries.

31. In less than 10 years, the ILO International Programme on the Elimination of Child Labour (IPEC) had evolved from a technical cooperation programme with one donor and 6 participating countries into a global alliance of 99 participating countries and contributing organizations. New programme approaches were currently being developed to address the wider development context of child labour by linking it to economic, social, education and health policies (including HIV/AIDS). El Salvador, Nepal and the United Republic of Tanzania had been the first countries to request the Organization's assistance in eliminating the worst forms of child labour over a definite time-period. The approach promoted by the ILO Time-Bound Programmes (TBPs) was not restricted to legislative reform and increased enforcement, but also included education initiatives and efforts to provide alternative livelihoods to children and their families.

32. In the past year, ILO had made considerable progress with inter-agency cooperation on child labour issues, most notably with UNICEF and the World Bank. It particularly welcomed and supported the Optional Protocols to the Convention on the Rights of the Child.

33. With an estimated 250 million children engaged in economic activity worldwide (half of them full-time, and at least a quarter of them victims of the worst forms of child labour), child labour had far-reaching consequences for both individual childhood and for national development.

34. Mr. RIMKŪNAS (Observer for Lithuania) said that new legislation adopted by the Lithuanian parliament protected the legal, civil and private interests of children, which were high on his Government's agenda. With the establishment of a national ombudsman for children's

rights, the institutional monitoring of the implementation of the Convention on the Rights of the Child was assured. Cognizant of the importance of a stable family as a source of well-being and security for children, his Government had also elaborated a new programme of assistance to families raising children. Moreover, the national policy and action plan for tackling poverty devoted particular attention to improving the rights of the child and to the social security of families and children.

35. In the context of the Year of the Youth of Lithuania in 2000, a "parliament of schoolchildren" had discussed the implementation of the Convention on the Rights of the Child and had passed its comments on to the President and Government.

36. Mr. KHORRAM (Observer for the Islamic Republic of Iran) said that children continued to require the international community's undivided attention, as evidenced in the alarming UNICEF report, The State of the World's Children 2001: almost 11 million children under five died every year of preventable diseases, more than 20 per cent of primary school aged children in developing countries did not attend school and half of the 40 million people displaced by conflict were children. The tragic plight of women also caused much suffering for children.

37. A positive outcome of the special session of the General Assembly would require open-mindedness and flexibility. An improvement in the situation of children did not, after all, depend solely on Governments, but also on the actions of civil society and the international community as a whole.

38. In his country, special attention was accorded to the well-being, education, health and legal problems of children. As acknowledged by a UNICEF report, Iran had achieved most of the goals of the World Summit for Children for the year 2000. Indeed, it was his Government's view that the human rights of children should be given priority.

39. Recent achievements in the area of juvenile justice included: the establishment of special courts for juvenile offenders; the replacing of traditional sentences with obligations of an educational nature; the signing of a Memorandum of Understanding between the Iranian judiciary and UNICEF earlier in the year; the establishment of a national committee to review existing legislation in the field; and the drafting of a comprehensive law on juvenile offenders.

40. Mr. ALCAINE CASTRO (Observer for El Salvador) said that his Government, which attached great importance to promoting the rights of children, supported all initiatives to address the critical situation in which so many children found themselves as a result of poverty, illiteracy, disease, juvenile violence and natural disasters. It was endeavouring to increase the participation in society of persons under 25 years of age by strengthening institutional mechanisms to promote their development. The ombudsman's office, in cooperation with UNICEF, was executing a project to develop adolescents' skills and leadership for the benefit of their communities.

41. El Salvador had ratified the ILO Convention No. 182 on the Worst Forms of Child Labour and intended to sign or ratify the two Optional Protocols to the Convention on the Rights of the Child.

42. In the context of the International Decade for a Culture of Peace and Non-Violence for the Children of the World, his Government urged States to ensure that all children were inculcated with the values of human rights, non-violence and peace, together with tolerance and respect for diversity. The forthcoming special session of the General Assembly would provide an opportunity to strengthen international efforts to eliminate the worst forms of poverty, which continued to affect children most severely.

43. Mr. NORDMANN (Observer for Switzerland) said that despite the progress made in elaborating international standards, the most basic rights of children continued to be violated. The situation of most of the world's children was precarious, and was further exacerbated by armed conflict. Forced labour, slavery, sexual exploitation, torture, ill-treatment, migration, HIV/AIDS, discrimination against girls, poor nutrition and lack of education sadly persisted. His delegation particularly deplored all forms of violence against children and considered that special attention should be paid to the situation of juvenile offenders and detainees.

44. In Switzerland, the criminal code had been revised to extend domestic jurisdiction to cover the acts of persons involved in the sexual exploitation of minors abroad. The misuse of the Internet for the purposes of pornography and paedophilia was of particular concern, hence the importance of an early finalization by the Council of Europe of the draft convention on cyber-crime.

45. His delegation welcomed all initiatives - especially those by UNICEF - to achieve the demobilization of child soldiers and their reintegration into their families.

46. Preparations for the special session of the General Assembly should focus on four areas, namely: poverty eradication; the incorporation of international standards into domestic legislation; special measures to ensure protection of the girl-child; and the systematic integration of the commitments adopted at the global conferences into all actions in favour of children. In view of the importance of ensuring the participation of children in such actions, his Government would be hosting an international conference on children's rights in May 2001, at which children would have the opportunity of exchanging experience and expectations.

47. Mr. van der WAL (Observer for Australia) said that the special session of the General Assembly would provide an opportunity to take stock of progress thus far, and to examine ways in which the international community could work together to create a world in which children's rights were fully protected. It was vital that its goals and strategies should be well-targeted to the realities which the world's children would be facing in the coming decade. All views must be taken into account, including those of children themselves. It would also provide a valuable opportunity to prioritize nutrition, sanitation, access to education and the impact on children of HIV/AIDS.

48. In the decade since the entry into force of the Convention on the Rights of the Child in Australia, the best interests of the child had been made a paramount consideration in domestic family law. The Optional Protocols to the Convention were currently being considered in accordance with normal domestic processes. Australia had also been the first country to extend national jurisdiction to cover acts of child exploitation by Australian sex tourists abroad.

49. Children abroad also benefited from the poverty reduction focus of Australia's development cooperation programme, a significant component of which was dedicated to the provision of the basic social services that every child needed to survive. In 2000, the Government had increased its contributions towards tackling child exploitation as well as the special needs of children in humanitarian emergencies in the Asia Pacific Region. Although Australia was proud of its multi-cultural society, it continued, to be challenged by problems of intolerance and social inequity that affected children also and his delegation was looking forward to the practical outcomes of the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

50. The collective failure to uphold children's rights was the epitaph on the 12 million graves of children who had died in 2000 of easily preventable causes. However, in facing the challenge of giving every child a better future, the international community could at least gain strength from the knowledge that its past work had met with some degree of success.

51. Mr. EKANAYAKE (Observer for Sri Lanka) said that children were accorded the highest priority in his Government's development policies and programmes. Free and compulsory education and free preventive health care had long been provided to children. Moreover, the Government had consistently supported the United Nations mechanisms dealing with the rights of the child.

52. The issue of children in armed conflict was of particular concern to his Government. In Sri Lanka, children as young as 10 years continued to be forcibly recruited by a ruthless and intransigent terrorist group for attacks against civilians. His Government had thus called for international solidarity in implementing the Convention on the Rights of the Child and its Optional Protocol on Involvement of Children in Armed Conflict and the Special Representative of the Secretary-General for children and armed conflict had visited the country in 1998.

53. Despite all such efforts, the Tamil Tigers continued to recruit child combatants, and their supporters continued to address the Commission. His delegation urged all States to take action against the perpetrators of that heinous crime. Ideology need not divide the international community on the issue of child combatants, nor were massive funds required to save such children. All that was required was political will and commitment on the part of those in a position to act.

54. Mr. GIZAW (International Federation of Red Cross and Red Crescent Societies) said that the Federation worked to improve the situation of children, particularly in emergency situations where children were often deprived of parental care. The current AIDS pandemic was one such situation; it required immediate action. According to the Joint United Nations Programme on HIV/AIDS (UNAIDS), one third of all children aged under 15 in southern Africa would be orphaned by 2010.

55. The Federation was mobilizing its members and volunteers, through its African Red Cross/Red Crescent Health Initiative, to promote large-scale changes in behaviour, to provide care and support and to promote human rights in Africa. Children whose parents had died of AIDS often faced discrimination and were malnourished and forced to enter the labour force prematurely. The Federation believed that orphans should, wherever possible, remain in

the community and be assisted through programmes that linked care and prevention, fought all forms of discrimination and respected the child's right to confidentiality. Orphans should also be enabled to participate in designing programmes to meet their needs.

56. Children were not only victims but also a resource; young, trained volunteers could be a powerful force in prevention by educating their peers. The Federation was committed to working with Governments to foster an environment in which such volunteering could take place.

57. The forthcoming special sessions of the General Assembly on HIV/AIDS and on children were important opportunities for addressing those issues. The Federation's own commitment to results in Africa was the Ouagadougou Declaration which had been adopted by the fifth Pan-African Conference of Red Cross and Red Crescent Societies. In the Federation's view, problems faced by children should be addressed through the broadest possible partnership arrangements in all countries.

58. Mr. WENAWESER (Observer for Liechtenstein) said that the Convention on the Rights of the Child was the foundation of all efforts in the area of child protection and the two Optional Protocols thereto would significantly enhance the protection of children. His country had signed both those instruments as well as the Rome Statute of the International Criminal Court, which classified the conscription of children into the armed forces as a war crime.

59. The adoption by the Security Council of resolutions 1261 (1999) and 1314 (2000) underlined its growing interest in and commitment to children, as did its involvement in the establishment of a special court for Sierra Leone. It was important to recognize that some of those who had committed the most serious crimes in Sierra Leone had been children at the time of the commission. His delegation was satisfied that the relevant provisions of that court would enable the international community to meet the imperatives of reconciliation and the fight against impunity. The Truth and Reconciliation Commission should play a significant role in that process.

60. The forthcoming special session of the General Assembly on children would provide a unique opportunity for further progress in protecting children's rights. The special session should adopt a rights-based approach. A system of monitoring by the relevant agencies was also crucial. At every stage, steps should be taken to ensure that children were able to participate in the processes and decisions affecting them.

61. Mr. HAN Sung Il (Observer for the Democratic People's Republic of Korea) said that, while great efforts had been made to end child abuse and other violations of children's rights, children continued to be subject to a variety of threats in many parts of the world. The situation would not improve until all States demonstrated a firm political will to deal with children's issues by always bearing in mind the interests of children and taking steps to protect them. He stressed the need to encourage multilateral cooperation with UNICEF and to strengthen the Convention on the Rights of the Child. His Government would continue to do its utmost to protect children.

62. It was important to ensure that the new generations learned from the past, particularly in countries that had been guilty of crimes against humanity. The Japanese Government had recently approved history textbooks which distorted and covered up the crimes committed by Japanese forces in Korea and other Asian countries prior to and during the Second World War. The negative impact upon the younger generation could be seen in the acts of discrimination and violence to which Korean residents in Japan were subject daily. His delegation strongly condemned the Japanese Government's distortion of history and called upon it to make an official apology, to acknowledge legal responsibility for its past crimes and to take effective measures to prevent any recurrence thereof.

63. Mr. MEJÍA SOLÍS (Observer for Nicaragua) said that since 58 per cent of the population of Nicaragua was under 18, his Government had adopted new child-friendly policies which had led to an overhaul of domestic legislation. It had also set up a national commission to promote and safeguard the rights of the child, had adopted a code on childhood and adolescents and had ratified ILO Convention No. 182 on the Worst Forms of Child Labour.

64. School enrolment rates and life expectancy had increased and overall health had improved. In addition, steps were being taken gradually to improve the treatment of youthful offenders. Currently, the police were receiving human rights training with emphasis on the rights of children.

65. Referring to the mention by the Special Rapporteur on extrajudicial, summary or arbitrary executions of reports of killings of street children in Nicaragua (E/CN.4/2001/9, para. 67), he said that his Government had received no reports of any such allegations and had thus been unable to investigate the matter. He assured her that there were no "social cleansing" operations in Nicaragua.

66. Mr. ZORE (Observer for Slovenia) said that his Government considered children to be the most precious asset of society and that was reflected in its educational and social policies. However, despite the efforts made at the national and international level to alleviate the plight of war-affected children, several million children had in the past 10 years died or had been seriously injured throughout the world as a result of armed conflicts and over 20 million had been displaced. No effort must be spared to implement the Optional Protocol on Involvement of Children in Armed Conflict.

67. Armed conflicts were only one of many causes of the suffering of children in contemporary society. The forthcoming special session of the General Assembly would be an opportunity to enhance awareness of the importance of safeguarding children and to assume further commitments in that regard.

68. Mr. RAMÍREZ BOETTNER (Observer for Paraguay) said that, since 60 per cent of the population of his country was under 30, the Government had introduced legislation to protect its children and young people. It had, inter alia, adopted a code on minors and a law to protect children and women from domestic violence. On 5 March 2001, the Director-General of ILO had received Paraguay's instrument of ratification of ILO Convention No. 182.

69. Mr. WUDU (Observer for Ghana) said that, despite the progress that had been made on human rights and democracy, children were being left by the wayside and forced to drop out of school and engage in adult activities such as participating in armed conflicts or working to support their families. His Government was committed to promoting the welfare of the child and was working closely with all relevant agencies to that end. It had ratified ILO Convention No. 182. Lastly, noting that child soldiers were once again in the news, he called on those who were part of the problem - Governments, institutions or groups of individuals - and those bodies that could help to solve the problem, such as the Commission, to work together to end that form of child abuse.

70. Ms. HALAMBEK (Observer for Croatia) said that there were a number of bodies in her country which were responsible for safeguarding the interests of children and monitoring the implementation of the national programme of action for children. Moreover, it was expected that the Croatian parliament would soon be setting up an ombudsman for children.

71. Ms. MAJALI (Observer for Jordan) said that her country had made much progress in the past decade in protecting the rights of children, but its achievements would not have been possible without the support of NGOs and agencies such as UNICEF, WHO and the United Nations Development Programme (UNDP). Her Government had developed a national strategy to enquire into violence in the family and to investigate sexual violence against children. It had also set up a special section in the Ministry of Labour to protect children from economic exploitation. Since December 2000 a database had been drawn up on the social and economic aspects of child labour and the Ministry of Labour was working on a strategy, in cooperation with the ILO, to implement a project to combat the sale of children. Her Government, being convinced of the need to protect children in armed conflicts, had signed the relevant Optional Protocol to the Convention on the Rights of the Child and had recently hosted a Middle East conference on preventing the enlistment of children under the age of 18.

72. Mr. TANDAR (Observer for Afghanistan) said that Afghan children were subjected to dramatic conditions in those parts of the country occupied by the Taliban militia and foreign mercenaries. Of greatest concern were the conditions imposed on girls and orphans due to the fact that the Taliban had banned women from working and girls from studying. Like their mothers the girls were often forced to beg. Barely two months previously children had been beaten and imprisoned in Kabul because the Taliban religious police considered that their hairstyles resembled that of the actor Leonardo Di Caprio in the film "Titanic". Boys who attended school were taught hate, intolerance, violence and war. Girls, who had committed the crime of being born female, had no right to health care or education. One had had her fingers cut off by the Taliban religious police because she was wearing nail varnish.

73. As for children involved in the war in Afghanistan, hundreds of thousands of them from the most disadvantaged sections of Pakistani society were studying in Pakistan's religious schools. Every time the Taliban launched an offensive, the schools were closed so that their pupils could participate in the war. Everything was being done with the full knowledge of the Government of Pakistan, which took no steps at all to prevent convoys of children leaving for the front in Afghanistan.

74. For the past two days a public conference had been going on in the Pakistani city of Peshawar, to which Osama bin Laden had addressed a message calling on young Muslims to take part in the war in Afghanistan. Given that another offensive was about to be unleashed, it was high time that the international community issued a serious warning to Pakistan so as to prevent thousands of students and pupils leaving for the war front.

75. Mr. KAYA (Observer for Turkey) said that, on 8 September 2000, his Government had signed the two Optional Protocols to the Convention on the Rights of the Child. Turkey had also ratified ILO Convention No. 182 on the Worst Forms of Child Labour. It had already submitted its initial report to the Committee on the Rights of the Child, which would be considering it at its forthcoming session in May 2001.

76. Mr. BENDO (Observer for Albania) said that, three months previously, his Government had approved a national strategy on children and a five-year plan of action to implement it. The necessary changes would be made to legislation and the strategy would be transformed into a national action binding on all institutions. It would welcome the assistance of all the social actors, local NGOs and international organizations in attaining the strategy's objectives.

77. Mr. CHATTY (Observer for Tunisia) said that tens of thousands of children under the age of 16 were fighting in armed conflicts, in many cases after having been forcibly recruited. Others were victims of prostitution and pornography. According to UNICEF, 2 million children died every year because they did not have access to vaccination, and nearly a million died every year from measles. The initiative of the Global Alliance for Vaccines and Immunization and the Global Fund for Children's Vaccines, publicized by UNICEF on 6 April 2001, which had set in place the first round of a global programme of vaccine delivery, was most welcome. By guaranteeing long-term purchasing commitments, it enabled manufacturers to produce the vaccines at affordable prices, whereas those vaccines had previously been available only to children in industrialized countries.

78. Tunisia had been one of the first States to promulgate a code on the rights of the child. Tunisian children were taught their rights and duties and the universal values of tolerance and respect for others in the home, in school and in their social environment. Each Governorate had child protection officers, and particular attention was given to the children of separated couples.

79. Ms. POLO (Observer for Togo) said that 12 million children continued to die every year of preventable diseases and HIV/AIDS without receiving any treatment; 250 million children were forced to work in inhuman conditions to meet the needs of their families; and 110 million children did not attend school. In sub-Saharan Africa, school enrolment rates were currently lower than in 1980. More and more children were victims of internal conflicts and trafficking for the purposes of prostitution and pornography. Trafficking in children had acquired particularly alarming proportions in recent years in West Africa, and her Government had taken the appropriate national steps as well as joining in subregional initiatives to deal with the problem.

80. Mr. ANOSHKO (Observer for Belarus) said that, in 1995, his country had adopted a National Plan of Action to protect the rights of children. The "Children of Belarus" programme of 1998 had subprogrammes dealing with the children of Chernobyl and other groups and special

subjects. Steps had been taken to increase the role of NGOs in improving the situation of children, and currently more than 70 such organizations were implementing programmes for the benefit of children. There was increasing cooperation with international organizations and other countries. Since 1995, all educational institutions in Belarus had offered special courses on the rights of the child.

81. Ms. ABU KASHAWA (Observer for the Sudan) said that the war in the South of her country had had most impact on children. Great efforts were being made by her Government, UNICEF and international and national NGOs to alleviate the suffering of children in the war zones. However, the rebel groups of the Sudan People's Liberation Army/Sudan People's Liberation Movement had closed down 1,077 primary and secondary schools in the South, and were conscripting schoolchildren and other minors as front-line soldiers. Human rights organizations had recorded that 76,000 minors were being kept in rebel-controlled areas. Unfortunately, despite several Commission resolutions, only 2,500 youngsters had been rescued by UNICEF and reunited with their families. Her Government called for strong action to rescue the remaining children and reunite them with their families.

Statements in exercise of the right of reply

82. Mr. HARAGUCHI (Japan), replying to statements made by some speakers concerning Japanese history textbooks, said that his Government stressed its conviction that it should not be the author of textbooks, including history textbooks, for schoolchildren. The Government set out general curriculum guidelines, known as the Course of Study, within the framework of which the authors of history textbooks, for example, were free to decide which historical events to include and how to describe them. In the case of the Second World War, the Course of Study clearly stated that it should be ensured that children understood the disaster the war had brought upon mankind.

83. Once a textbook was written, the Textbook Authorization and Research Council - an independent body of educators appointed by the Minister of Education - checked that its content was in accordance with the Course of Study, and that there were no expressions in it that were likely to cause misunderstanding, and no lopsided views. The Council recommended amendments, and only after those amendments had been made could a textbook be finally authorized. The Government was not in a position to demand or to force an author to touch upon specific historical events. The historical perspective or outlook represented in textbooks should not, therefore, be identified as those of the Japanese Government.

84. Finally, he recalled the statement made in August 1995 by his country's then Prime Minister to the effect that Japan had caused tremendous damage and suffering to the people of many countries, particularly Asian nations, and that, in the hope that no such mistake would be repeated, he expressed his feelings of deep remorse and stated his heartfelt apology. That official position of the Government of Japan remained unchanged.

85. Mr. CHUNG Eui-yong (Republic of Korea) said that his delegation was very concerned about the explanation given by the representative Japan that the Government of Japan was not in a position to decide the content of history textbooks. His delegation believed that the Government of every nation, regardless of its textbook screening system, should ensure that its

children had access to a truthful and sound education. If the future of the young was not to be compromised, the wrongdoings of the past must be recognized as they happened, and one could not continue to allow distortions or abridgements of historical facts in textbooks, which were primary tools for a truthful and sound education. His delegation thus urged the Government of Japan to recognize its responsibility for its past wrongdoings and to address the issue of the distortion of history once and for all.

86. Mr. CHOE Myong Nam (Observer for the Democratic People's Republic of Korea) said that his delegation had categorically to reject the groundless remarks by the representative of Japan. It was a well-known and well-documented historical fact that Japan had committed gross violations of human rights, war crimes and crimes against humanity by forcing 200,000 Korean women to serve the Japanese military as sex slaves, by drafting 6 million Koreans as slave labourers and by massacring 1 million Koreans. However, there had as yet been no solution to those heinous crimes, such as a sincere official apology, compensation, punishment of the perpetrators and acknowledgement of legal responsibility.

87. If, as Japan claimed, those crimes had already been resolved, why did the victims, victim States and NGOs continue to raise the problem at sessions of the Commission and in other United Nations forums? Why did special rapporteurs continue to urge the Government of Japan to fulfil its responsibility under international law by acknowledging legal responsibility and paying compensation?

88. Instead of responding faithfully, Japan was trying to distort its past criminal activities. It was a plot to justify its crimes, which was intended to incite militarism and an ambition of reinvasion among the people, especially the young. That was the true nature of Japan, and his delegation wished once again to call on that country to make an official apology, acknowledge its legal responsibility and behave accordingly, rather than resort to its deceitful plots against the international community. It would also be in the best interest of Japan itself.

89. Mr. SUN Xiaobo (China) said that his delegation could not accept the statement by the representative of Japan. It believed that a correct understanding and attitude on the part of the Government of Japan regarding the past history of aggression committed by Japanese militarists would have a bearing not only on peaceful development in Japan itself but also on peace and stability in Asia and the whole world.

90. The Government of China found it highly regrettable that the Government of Japan had time and again sought to evade its responsibility on the question of textbooks. His Government and people requested the Government of Japan to show courage and a responsible attitude regarding the past history of aggression, and to stop hurting the feelings of the Chinese people and other victims.

The meeting rose at 6.15 p.m.